

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ALFONSO PERCY PEW)	
)	Civil Action No. 03 - 1728
Plaintiff,)	
)	
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
JOANNE TORMA, Central Office Department)	
of Corrections Religious Accommodations Board)	
for Special Needs; DAVE ROBERTS, Unit)	
Manager, Bureau of Inmate Services Central)	
Office of Department of Corrections;)	
T'SHANNA KYLER, Department of)	
Corrections Grievance Final Review Board;)	
THOMAS A. FULCOMER; WILLIAM J.)	
LOVE; JEFFERY A. BEARD, Central Office)	
Department of Correction Secretary and)	
Deputies; MECHLING; WILLIAM TERZA,)	
Pittsburgh State Prison Warden and Chaplain;)	
VICUSI, Correctional Officer 1; CULP,)	
LIEUTENANT 2; EVANS, Correctional)	
Officer 1; WILLIAM S. STICKMAN,)	
Superintendent; NIXON, Correctional Officer)	
1; JAMES META, Food Service Supervisor;)	
CAROL A. DEWITT; and COREY A. BISH,)	
)	
Defendants.)	

ORDER

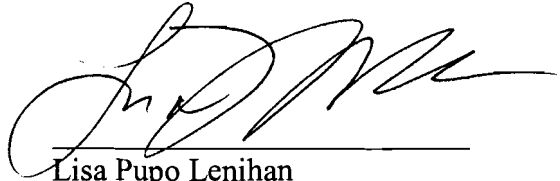
The above captioned case was marked closed on October 13, 2006 and a notice of settlement with attached release filed on December 26, 2006. The case involved an interference with religious rights claim under the First Amendment, the Equal Protection Clause and under the Religious Land Use and Institutionalized Persons Act and an Eighth Amendment claim that Plaintiff was denied pork substitutes in meals rendering them nutritionally inadequate.

On January 26, 2007 Plaintiff filed a motion with this court asking that he be permitted to

continue his case and bring a supplemental action to redress allegations of additional violations of his constitutional rights, not involving the denial of an adequate diet or related to any religious requirements. Basically, he wants to utilize the prior filed, and now closed, action to file a second complaint with the court, without having to file another motion to proceed *in forma pauperis*, and without filing any complaint.

This cannot be allowed. The rules are clear that plaintiff must first comply with the exhaustion requirements set forth by Congress, he must then file another *in forma pauperis* motion, that will be subject to the screening provisions of 28 U.S.C. § 1915A. Therefore,

IT IS HEREBY ORDERED that Plaintiff's Motion to Continue to Proceed In Forma Pauperis and Bring a Supplemental Action is **DENIED**.



Lisa Pupo Lenihan
United States Magistrate Judge

cc: Counsel of Record

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